

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *[Signature]* D.C.

05 JUL 26 AM 9: 28

SMITH & NEPHEW, INC.,

Plaintiff,

vs.

STRYKER CORPORATION,

Defendant.

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OFFICE, MEMPHIS

) Civ. No. 04-2446-B/P

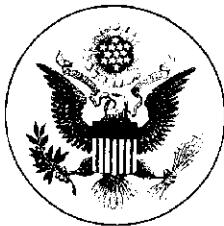
ORDER VACATING JULY 19, 2005 ORDER GRANTING PLAINTIFF'S MOTION
FOR LEAVE TO FILE SECOND AMENDED COMPLAINT

On July 19, 2005, the court entered an order granting plaintiff's Motion for Leave to File Second Amended Complaint (dkt #44). The motion was granted on the basis that, according to the court's records, the defendant had not filed a response as required under Local Rule 7.2(a)(2). However, subsequent to the court entering that order, the defendant informed the court that it had, in fact, timely filed a response on July 12, 2005, but that apparently the response was not docketed in the Clerk's Office. Therefore, the court's July 19 order is hereby VACATED.

IT IS SO ORDERED.


TU M. PHAM
United States Magistrate Judge

July 22, 2005
Date



Notice of Distribution

This notice confirms a copy of the document docketed as number 47 in case 2:04-CV-02446 was distributed by fax, mail, or direct printing on July 26, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT